

As was proposed in the interview, Claims 1 and 11 have been amended to indicate that the antigen is a hemagglutinin of the infectious agent. Applicant's attorney notes that the Examiner Interview Summary Record states that it was proposed that the claims be limited to "the hemagglutinin and influenza". It is Applicant's attorney's understanding, based on the proposed claims shown to the Examiner, that Claims 1, 2, 4, 7-14 and 17-18 are the claims proposed to be limited to the hemagglutinin, and that Claims 19-24 are the claims limited to influenza.

As discussed, with this amendment, Claims 1, 2, 4, 7, 8, 9 and 10 are drawn to methods of immunizing against an infectious agent, by administering a DNA transcription unit comprising DNA encoding a hemagglutinin of the infectious agent, and thereby protecting against disease. Claims 11-14 and 17-18 are parallel to Claims 1, 2, 4, 7-9, with the additional limitation of administration of the DNA transcription unit to a mucosal surface and in a physiologically acceptable carrier.

Claims 19-24 are specific to influenza virus. Claims 19, 20, and 21 are drawn to methods of immunizing against influenza virus, by administering a DNA transcription unit comprising DNA encoding a influenza virus antigen, and thereby protecting against disease. Claims 22-24 are parallel to Claims 19-21, with the additional limitation of administration of the DNA transcription unit to a mucosal surface and in a physiologically acceptable carrier.

It is believed that the above amendment places the claims in condition for allowance. If the Examiner believes that a

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telephone conversation would further expedite prosecution, she is invited to call Applicant's Attorney at (617) 861-6240.

Respectfully submitted,

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